

## II. REMARKS

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Generally, it is believed that the amendment adds no new matter.

Applicant wishes to express appreciation to Examiners Thomas Dixon and Freda Nelson for the helpful interview of 07 July 2005. The present Amendment is in keeping therewith.

In response to the objection to the specification, a marked-up and clean copy of specification pages showing the amendment are being supplied herewith, and entry is of the amendment respectfully requested.

Claim 75 has been amended, and it is believed that the objection is moot.

Claims 41-42 have been amended, and it is believed that the objection is moot.

All claims have been rejected pursuant to 35 USC Secs. 102 and 103. The Examiner contends that the claims are anticipated or obvious (as is more precisely stated in the Office Action) based on Watterson, and as to contended obviousness, further in view of Clem, Mahoney, Peterson, and Netpulse. Though the contentions are respectfully traversed, in accordance with the Interview, the claims have been amended so that the rejections are believed to be moot.

It is respectfully submitted that the Watterson, alone or in combination with the cited art, does not establish lack of novelty nor obviousness. There is no teaching of maintaining said machine-readable instructions as private to the user required in claim 1 and those claims depending therefrom, and there is no teaching of the claimed translating the first set of signals to form machine-readable instructions; and controlling a second exercise machine

with the machine-readable instructions as required in claim 3 and those claims depending therefrom.

Any alteration of Watterson to reach the claimed invention is improper because:

- (1) The alteration would render Watterson inoperable for its intended purposes.
- (2) The alteration would render Watterson would change the principles of operation of Watterson.
- (3) There was no cited motivation or suggestion, as of the filing date of the priority date of the instant application, that would have prompted one skilled in the art to make such an alteration of Watterson.

Accordingly, withdrawal of the rejection and allowance of the claims are respectfully requested.

With regard to each allegation that certain claim requirements were "known" or where notice is otherwise taken, if the contention is maintained, a reference is required along with a proper reason to combine or modify.

As to art made of record but not relied upon, Applicant does not admit or deny that said art is "prior art," but is appreciative of the search, as well as the examination.


Respectfully, the application is believed to be in condition for allowance, and favorable action is requested. If the prosecution of this case can be in any way advanced by a telephone discussion, the Examiner is requested to call the undersigned at (312) 240-0824. If an allowance is not forthcoming, Applicant respectfully requests a personal interview in an effort to advance the case.

**APPLICANT CLAIMS SMALL ENTITY STATUS.** The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235, and if any extension of time is needed, this shall be

deemed a petition therefore. Please direct all communication to the undersigned at the address given below.

Respectfully submitted,

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